IN THE CLAIMS

1. (Currently Amended) A method for producing fried instant noodles, comprising heating noodles in an oil/fat composition comprising at least ~~50~~ 60 wt.% of diglycerides, wherein upon reconstitution of said fried instant noodles with water, said noodles have a smooth structure.

2. (Canceled)

3. (Original) The method of claim 1, wherein said oil/fat composition comprises at least 65 wt.% of diglycerides.

4. (Original) The method of claim 1, wherein said oil/fat composition comprises at least 70 wt.% of diglycerides.

5. (Original) The method of claim 1, wherein said diglyceride contains acyl groups having 8 to 24 carbon atoms.

6. (Original) The method of claim 1, wherein said diglyceride contains acyl groups having 16 to 22 carbon atoms.

7. (Original) The method of claim 1, wherein said diglyceride contains at least 70 unsaturated acyl groups of the whole constituent acyl groups.

8. (Original) The method of claim 1, wherein said noodle comprises 0.001 to 1 % by weight of an antioxidant.

9. (Original) The method of claim 8, wherein said antioxidant is selected from the group consisting of vitamin E, ascorbic acid, a higher fatty acid ester of ascorbic acid, catechin, rosemary and a mixture thereof.

10. (Original) The method of claim 8, wherein said antioxidant is ascorbic palmitate.

11. (Original) The method of claim 1, wherein said oil/fat composition is at a temperature of from 120 to 160 °C.

12. (Original) The method of claim l, wherein said oil/fat composition is at a temperature of from 130 to 150 °C.

13. (Original) The method of claim 1, wherein heating is conducted for a time of from 0.3 to 5 minutes.

14. (Original) The method of claim 1, wherein heating is conducted for a time of from 0.5 to 3 minutes.

15. (Original) The method of claim 1, wherein said noodles are comprised of flour, a noodle quality improver, a thickening polysaccharide and egg powder.

16. (Original) The method of claim 1, wherein said noodles are prepared by the steps comprising:

i) preparing a dough from raw materials, ii) laminating said dough;

iii) rolling said dough; iv) sheeting said dough; v) slitting said dough to form noodle strands;

vi) steam heating said noodle strands of step v); and vii) molding steam heated noodles of step vi).

17. (Original) The method of claim 15, wherein said flour is selected from the group consisting of wheat flour, buckwheat flour and a mixture thereof.

18. (Previously Presented) The method of claim l, wherein said fried instant noodles comprise at least one composition selected from the group consisting of *udon* noodles, *soba* noodles, *ramen* noodles and pasta.

19. (Currently Amended) A method of preparing instant noodles comprising:

i) heating noodles in an oil/fat composition comprising at least ~~50~~ 60 wt.% of diglycerides to form fried instant noodles; and

ii) reconstituting said fried instant noodles with water.

20. (Original) Fried instant noodles obtained by the process of claim 1.

21. (Canceled)

22. (Previously Presented) The method of claim 1, wherein said heating results in dehydration of said noodles.

23. (Canceled)

SUPPORT FOR THE AMENDMENT

Support for the amendment to claims 1 and 19 is found in claim 2 as originally presented. No new matter would be added to this application by entry of this amendment. No new issues would be raised before the examiner, as claim 2 has already been considered by the examiner. Entry of applicants' amendment and full consideration thereof at this stage of prosecution is respectfully requested.

Upon entry of this amendment, claims 1, 3-20 and 22-23 will now be active in this application.

REQUEST FOR RECONSIDERATION

The present invention is directed to a method of producing friend instant noodles, and fried instant noodles obtained by such a method.

Fried instant noodles are generally produced by mixing and kneading raw materials into a dough, forming dough into noodle strips, steam-heating noodles to gelatinize starch in the noodle strips and then frying the steam-heated noodle strips (page 1, lines 8-11 of the specification). In the frying step, the gelatinized noodle strips are dehydrated in a short time, providing the dried noodles with a quick reconstitutability (page 1, lines 11-13 of the specification). Problems heretofore observed with fried instant noodles have been poor surface smoothness and a tendency to rapidly become soggy such that noodle-producing processes in which the noodle surface smoothness and the tendency to get soggy are improved are sought.

The present invention addresses this problem by providing a method for producing fried instant noodles comprising heating noodles in an oil/fat composition comprising at least 60 weight % of diglycerides, thereby producing fried instant noodles, which upon reconstitution with water have a smooth structure. Such a

method of fried instant noodles are nowhere disclosed or suggested in the cited prior art of record.

The rejections of Claims 1-7, 11-14, 16-20, 22 and 23 under 35 U.S.C. § 103(a) over Greene et al. in view of Gotoh et al., and of claims 8-10 and 15 under 35 U.S.C. § 103(a) over Greene et al. in view of Gotoh et al. and in further view of Miyazaki et al. are respectfully traversed.

None of the cited prior art of record suggest an improved texture resulting from preparing instant fried noodles using an oil/fat composition comprising at least 60 wt. % of diglycerides.

Gotoh et al. describes a liquid general-purpose edible oil containing 1,3-diglycerides, in an amount of at least 40% by weight and a most preferable amount of at least 50% by weight (column 2, lines 44-49). As a general-purpose oil described as having beneficial health effects as well as excellent storage stability and flavor (column 2, lines 37-44), there is no suggestion of an improved texture of an instant-fried noodle. Moreover, as the primary reference does not prepare fried instant noodles, there can be no expectation of obtaining fried instant noodles having a an improved texture and accordingly the claimed method is nowhere disclosed or suggested in the primary reference.

The secondary reference of Greene et al. by failing to disclose or suggest an oil composition comprising at least 60 weight% of diglycerides, also cannot suggest a method for the preparation of fried instant noodles having an improved texture.

Miyazaki et al. discloses a method of making fried instant noodles in which additive such as an antioxidant and egg are added (column 5, lines 1-5) Miyazaki et al. fails to disclose or suggest a method of heating noodles in an oil/fat composition comprising at least 60 wt.% of diglycerides.

As evidence of the unexpected production of fried instant noodles having a smooth structure, the Examiner's attention is directed to the data appearing in the attached declaration of Kohori Jun, a researcher in the field of biotechnology and food science, employed by the Kao Corporation, the assignee of the above-identified application.

The production process was as follows, which is as close to the method disclosed in Greene et al. as possible, utilizing oils that fall within that disclosed by Gotoh et al. and oils to produce fried instant noodles.

The formulations of the oils are shown in Table 1

Table 1

	preparation					a content(wt%) of		
Sample	Rapeseed Oil[1)]	Hi Di-glycerides oil/fat[2)]	Vitamin E (%)	Ascorbic acid ester (%)	Silicone[3)] (%)	Tri-glycerides	Di-Glycerides	Mono-glycerides
(1)	0.00	99.90	0.07	0.03	0.0002	13.5	85.7	0.7
(2)	24.98	74.93	0.07	0.03	0.0002	34.7	64.7	0.5
(3)	49.95	49.95	0.07	0.03	0.0002	55.9	43.7	0.3
(4)	99.90	0.00	0.07	0.03	0.0002	98.3	1.6	0.0

1) "Canola Oil", a product of Honen Corp.

2) Tri-glycerides13.5%、Di-glycerides 85.8%、Mono-glycerides 0.7% (Oil/Fat obtained by reacting fatty acid, which had been obtained by hydrolyzing refined rapeseed oil, with glycerin in a manner known per se I 'in the art while using an immobilized, 1,3-specific lipase as a catalyst and then refining the reaction product

3)"K S − 6 6", a product of Shin-Etsu Chemical Co., Ltd.

Noodles were produced by optimizing the general method of Greene.

The results of the classification of the noodles made according to that described in gross detail within the attached 132 Declaration are as follows in Table 2.

Table 2

	Flavor			Texture		
	Oiliness	Flour	Kansui	Smooth-ness	Elasticity	Soggi-ness
1	A	A	A	A	A	A
2	A	B	B	B	B	A
3	A	B	B	C	C	A
4	A	C	C	D	C	A

The results of Table 2 demonstrate that the noodle that has been produced within the optimized parameters of Greene et al. using sample (1) or sample (2) in the above Table 1, having a diglyceride content of at least 60 wt.%, as frying oils have superior smoothness and elasticity, as compared with the method utilizing sample (3) and sample (4) in above Table 1, having a diglyceride content below 60 wt.%, as frying oils. Thus, the noodles made from the claimed method are clearly superior in elasticity and smoothness when compared to noodles made by an optimized process according to Greene et al.

In light of the above, it is clear that a noodle heated in an oil containing less than 60% and greater than 40% diglyceride as disclosed by Gotoh et al. and further prepared according to an optimized method disclosed by Greene et al. is less acceptable in regards to its smoothness and elasticity.

In contrast, the claimed noodle made by the claimed method of heating in an oil containing at least 60% is superior in regards to its smoothness and elasticity compared to those noodles heated in an oil disclosed by Gotoh et al.

Applicants respectfully submit that the present application is now in condition for allowance and early notification of such action is earnestly solicited.

Respectfully submitted,

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